

## **Meeting Notice**

**Date Notice Posted: October 17, 2008**

**City of East Providence**

**City Council Meeting**

**Date of Meeting: Tuesday, October 21, 2008**

**Time of Meeting: 7:30 p.m.**

**Location of Meeting:**

**City Hall, Council Chambers**

**145 Taunton Avenue**

**East Providence, RI 02914**

**CITY OF EAST PROVIDENCE**

**RHODE ISLAND**

**DOCKET OF REGULAR COUNCIL MEETING**

**OCTOBER 21, 2008**

**7:30 P.M.**

**I. CALL TO ORDER**

**II. INVOCATION**

**III. SALUTE TO THE FLAG**

**TO APPROVE THE CONSENT CALENDAR**

**All items under “CONSENT CALENDAR” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the “CONSENT CALENDAR” and will be considered in its normal sequence on the docket.**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**

**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**

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#### **IV. CONSENT CALENDAR**

##### **A. APPROVAL OF COUNCIL JOURNALS**

**September 16, 2008 – Regular Meeting**

**October 7, 2008 – Regular Meeting**

**B. 28th ANNUAL HALLOWEEN PARADE - OCTOBER 31, 2008, 4:15 – 5:15 P.M. William Christopher Fisher, 65 Don Avenue (02916) Beginning on Don Avenue once around the block (Catlin Avenue) Police escort front and back of parade walkers.**

#### **V. APPOINTMENTS**

**HARBOR MANAGEMENT COMMISSION (by Councilman DiTraglia)**

**Michael Znosko (for a term ending 10/21/10)**

**12 Catalpa Street (02915)**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**

**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**

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## **VI. LICENSES REQUIRING PUBLIC HEARING**

**1. RENEWAL OF ALCOHOLIC BEVERAGE LICENSES (Subject to approvals from Chief of Police, Building Inspector, Health Inspector, and Fire Marshall. Advertised October 3 & 10, 2008)**

### **CLASS A (RETAILERS)**

**Barrington Liquors, Inc., 618 Warren Avenue**

**Clift's Liquors, Inc., 191 Willett Avenue**

**Liquor Depot East Providence, Inc., d/b/a Wine & Spirits Depot, 1235 Wampanoag Trail**

**Marvic Enterprises, Inc., d/b/a Jordan's Liquors, 199 Taunton Avenue**

**McGreens Fine Wine & Spirits, Inc., 1086 Willett Avenue**

**O'Dell Enterprises, Inc., d/b/a Brookfield Liquors, 470 North Broadway**

**Riverside Liquors, Inc., 225 Bullocks Point Avenue**

**Town Liquor Co., Inc., d/b/a Town Wine & Spirits, 179 Newport Avenue**

**Warren Avenue Liquor Market, Inc., 208 Warren Avenue**

**B-FULL PRIVILEGE (VICTUALING)**

**141 Corp., d/b/a Uncle Tony's Pizza & Pasta, 141 Newport Avenue**

**Cape Verdean Progressive Center, 329 Grosvenor Avenue**

**Casa Brasil, LLC, d/b/a Casa Brasil, 543-545 North Broadway**

**Centre Court Inc., The, d/b/a The Loft, 55 Hospital Road**

**Chelo's of East Providence, Inc., 911 Warren Avenue**

**Chelo's of Newport Avenue, Inc., 45 Newport Avenue**

**China Gourmet, Inc., d/b/a China Gourmet Restaurant, 181 Willett Avenue**

**Comedy Connection of RI, Inc., d/b/a Comedy Connection, 39 Warren Avenue**

**Davenport's Bar & Grill, Inc., d/b/a Davenport's Restaurant, 1925 Pawtucket Avenue**

**D L Enterprises, Inc., d/b/a East Bay Tavern, 305 Lyon Avenue**

**Dolces Restaurant, Inc., d/b/a Bovi's Town Tavern, 287-289 Taunton Avenue**

**East Providence House of Pizza, LLC, 187 Willett Avenue**

**East Providence Yacht Club, Inc., 9 Pier Road**

**El Azteca Mexican Restaurant, LLC, d/b/a El Azteca Mexican Restaurant, 335 Newport Avenue**

**Felshy, Inc., d/b/a Cattails City Grill, 315 Waterman Avenue**

**Golden Dragon, LLC, d/b/a Young China Restaurant, 250 Warren Avenue**

**Holy Ghost Beneficial Brotherhood of Rhode Island, 51 North Phillips Street**

**Holy Ghost Brotherhood of Charity, 59 Brightridge Avenue**

**Hong Meas Restaurant, Inc., d/b/a Hong Meas Restaurant, 332 Warren Avenue**

**K&G Enterprises, Inc., d/b/a Restaurant La Camelia, 92 Waterman Avenue**

**Lane Foods, Inc., d/b/a Greggs Restaurants, 1940 Pawtucket Avenue**

**Lees Restaurant and Lounge, Inc., d/b/a Lees Restaurant and Lounge, 376 Bullocks Point Avenue**

**Lincoln Bar & Grill, Inc., 24 Monroe Avenue**

**Little Lucy's Lunch, Inc., d/b/a Red Bridge Tavern, 22 Waterman Avenue**

**Loggia Luce Moderna 1112, 99 Hicks Street**

**Mathias Enterprises, LTD, d/b/a Campino Restaurant & Sports Bar, 218 Warren Avenue**

**Merrill Lounge, Inc., d/b/a Merrill Lounge  
535 North Broadway**

**Milho, Albertino R., d/b/a Madeira Restaurant, 288-290 Warren Avenue**

**P & G Bowling, Inc., d/b/a East Providence Bowling Center, 80  
Newport Avenue**

**Paiva's Restaurant Corp., d/b/a O'Dinis Restaurant & Tavern, 579  
Warren Avenue**

**Pepper Dining, Inc., d/b/a Chili's Grill & Bar, 50 Highland Avenue**

**Portuguese American Athletic Club, 281 Warren Avenue**

**Pub Ventures, Inc., d/b/a Mulhearn's Pub, 507 North Broadway**

**PWRPJ, Inc., d/b/a Rockin' Times, 478 Waterman Avenue**

**Riviera Inn Dining and Banquet Company, 580 North Broadway**

**Sao Miguel Eateries, Inc., d/b/a Estrela Do Mar, 736 North Broadway**

**Sax's Steak & Pizza, LLC, d/b/a Sax's Steak & Pizza, 525 North  
Broadway**

**SAZ, Inc., d/b/a Town Pizza & Family Restaurant, 949 Willett Avenue**

**T&T'S 133 Club, Inc., d/b/a 133 Club, 29 Warren Avenue**

**THF, Inc., d/b/a Houlihan's Tavern On The River, 28 Water Street**

**Town Pub, Inc., 311 Taunton Avenue**

**Tropical Ilhas, Inc., 472 Waterman Avenue**

**Two Jerks Pub & Grill, Inc., d/b/a Two Jerks Pub & Grill, 446 Waterman Avenue**

**Watchemoket Bar, Inc., d/b/a Watchemoket Bar, 31 Warren Avenue**

## **C (SALOON)**

**Quattrucci, Carl & Arthur, d/b/a Monforte's Bar, 493 Waterman Avenue**

## **D-FULL PRIVILEGE**

**Agawam Hunt, 15 Roger Williams Avenue**

**Columbus Club of Barrington, 1 Viola Avenue**



**Columbus Club of East Providence, 3200 Pawtucket Avenue**

**East Providence Athletic Club, 118 Mauran Avenue**

**East Providence Fraternal Order of Eagles 1773, 334 Waterman Avenue**

**East Providence Lodge of Elks 2337, 60 Berkeley Street**

**Holy Ghost Brotherhood Mariense, 846 Broadway**

**Metacomet Country Club, 500 Veterans Memorial Parkway**

**Riverside Post Holding Co., Inc., 830 Willett Avenue**

**Riverside Sportsmans Association, 1 Sportsman Drive**

**Squantum Association, Squantum Club, 947 Veterans Memorial Parkway**

**Teofilo Braga Club, 26 Teofilo Braga Way**

**Trinity Brotherhood, 146 Sutton Avenue**

**Wannamoisett Country Club, 96 Hoyt Avenue**

## **B-LIMITED (VICTUALING)**

**Ban Chiang, Inc., d/b/a Siam Square Restaurant, 1050 Willett Avenue**

**Boston House of Pizza, Inc., 540-542 Taunton Avenue**

**Bowling Academy, Inc., 354 Taunton Avenue**

**Chan, Ben Ying, d/b/a Mei Singh Chinese Restaurant, 2827 Pawtucket Avenue**

**Dedeyan, Mkrtich, d/b/a Minerva Pizza House, 1022 South Broadway**

**E B Dragon, LLC, d/b/a East Buffet Restaurant, 52 Narragansett Park Drive**

**Farnsworth Café, LLC, d/b/a Farnsworth Café, 302 Willett Avenue**

**Horton's Seafood, Inc., d/b/a Horton's Seafood, 809 Broadway**

**Jeon, Il Sun, d/b/a Sun & Moon Korean Restaurant, 95 Warren Avenue**

**Jin Hua Chinese Restaurant, Inc., d/b/a New Buffet Restaurant, 1925 Pawtucket Avenue**

**JPCT Sports, LLC, d/b/a Tennis Rhode Island, 70 Boyd Avenue**

**Public Comments**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**  
**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**

**LICENSING COMMISSIONERS RESUME SITTING AS CITY COUNCIL**

**VII. PUBLIC HEARING**

**ORDINANCES - BUDGET**

**1. The following is an ordinance appropriating \$144,210,102 for the support of the City Government for the Fiscal year ending October 31, 2009. (Advertised Providence Journal – September 17, 2008)**

**AN ORDINANCE APPROPRIATING \$144,210,102 FOR THE SUPPORT OF THE CITY GOVERNMENT FOR THE FISCAL YEAR ENDING OCTOBER 31, 2009**

**Public Comments**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**  
**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**  
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## **VIII. CONTINUED BUSINESS**

## **IX. NEW BUSINESS**

### **A. CITY MANAGER'S REPORT**

#### **1. DEPARTMENT HEADS NEGOTIATIONS**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**

**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**

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### **B. REPORTS OF OTHER CITY OFFICIALS**

#### **1. CLAIMS COMMITTEE (by William J. Conley, Jr. – City Solicitor)**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**

**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**

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#### **2. TURNER RESERVOIR RAISED WALKWAY RECOMMENDATION FOR CITY COUNCIL TO QUALIFY FIRMS BASED UPON REQUEST FOR QUALIFICATIONS (by Jeanne M. Boyle – Director of Planning) (Recommendation of Planning Board**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**

**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**

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**C. INTRODUCTION OF ORDINANCES (If given First Passage, can be referred to the next regular Council Meeting to be held on October 21, 2008 for a public hearing and consideration of final passage).**

**1. The following is an ordinance ordering the assessment and collection of property tax on the ratable real estate, tangible personal property, and an excise tax on registered motor vehicles and trailers.**

**AN ORDINANCE ORDERING THE ASSESSMENT AND COLLECTION OF  
PROPERTY TAX ON THE RATABLE REAL ESTATE, TANGIBLE PERSONAL  
PROPERTY AND AN EXCISE TAX ON REGISTERED MOTOR VEHICLES AND TRAILERS.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I. That the City Council of the City of East Providence hereby orders the assessment and collection of a tax on ratable real estate, tangible personal property and an excise tax on registered motor vehicles and trailers in a sum not more than Eighty-five Million Four Hundred Twenty-five Thousand (\$85,425,000) Dollars nor less than Eighty-four Million Three Hundred Twenty-five Thousand (\$84,325,000) Dollars. Said tax is for ordinary expenses, for the**

payment of interest and indebtedness, in whole or in part, of said city, and for other purposes authorized by law.

The Tax Assessor shall assess and apportion said tax on the inhabitants and ratable property of said city as of the 31st day of December, 2008 at twelve o'clock Eastern Standard Time, according to law, and shall on completion of said assessment, date and sign same and shall make out and certify to the City Treasurer of the City of East Providence, who is charged with the duties for the collection of taxes, on or before the 15th day of June, 2009 complete list of the names of the persons taxed and of the total value of all the real estate assessed against each person, and also the amount of registered motor vehicles and trailers assessed against each person, and also the total amount assessed against each person on said real estate, personal estate and registered motor vehicles and trailers, opposite the name of the person or persons assessed. Upon receipt of the certified tax list by the City Treasurer, he shall proceed and collect said tax on the persons and estates liable thereof; said tax shall be due and payable on and between the 1st day of June 2009 and the 1st day of July, 2009 and provided further that if said tangible personal property and real estate taxes are paid in full on or before the 1st day of July, 2009, a discount of three per centum (3%) of the total taxes on said tangible personal property and real estate shall be granted, and all taxes remaining unpaid on the 1st day of July, 2009 shall carry until collected a penalty at the rate of twelve per centum (12%) per annum from the 1st day of June, 2009 upon said unpaid tax, however,

said taxes may be paid in four installments; the first installment of twenty-five per centum (25%) on or before the 1st day of July, 2009, the second installment of twenty-five per centum (25%) on or before the 1st day of September, 2009, the third installment of twenty-five per centum (25%) on or before the 1st day of December, 2009 and the fourth installment of twenty-five per centum (25%) on or before the 1st day of March, 2010.

Each installment of taxes if paid on or before the last day of each installment period successively in order shall be free from any charge of interest.

If the first installment or any succeeding installment of taxes is not paid by the last date of the respective unpaid balance period or periods as they occur, then the whole tax or remaining unpaid balance of the taxes as the case may be shall immediately become due and payable and carry until collected a penalty at the rate of twelve per centum, (12%) per annum.

The City Treasurer shall, by advertisement in the public newspaper having circulation in the City of East Providence, notify all persons assessed to pay their respective taxes at his office on and between the said 1st day of June, and the 1st day of July, 2009 both days inclusive; said City Treasurer setting forth the hours during which his office shall remain open to receive said taxes.

**SECTION II. That any of said taxes not paid on or before the 1st day of March, 2010 shall forthwith be collected by levy upon the sale of real estate upon which it is assessed and by that or other due process of law in case of assessment upon personal property.**

**SECTION III. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**

**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**

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**2. The following is an ordinance authorizing the Director of Finance to borrow funds in anticipation of taxes.**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
FINANCE TO BORROW FUNDS IN ANTICIPATION OF TAXES.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY  
ORDAINS:**

**SECTION I. The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2009 such sums of money in anticipation of the property taxes of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of**



**the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes and any tax anticipation notes of a prior year to the extent permitted by law.**

**SECTION II. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Director of Finance)**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**

**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**

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**3. The following is an ordinance authorizing the Director of Finance to borrow funds in anticipation of revenue.**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
FINANCE TO BORROW FUNDS IN ANTICIPATION OF REVENUE.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY  
ORDAINS:**

**SECTION I. The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2009 such sums of money in**

**anticipation of the sewer use fee revenue of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes and any revenue anticipation notes of a prior year to the extent permitted by law.**

**SECTION II. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Director of Finance)**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**  
**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**  
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**4. The following is an ordinance amendment regarding Water Consumption Portion Sewer Charge.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “UTILITIES.”**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I. Subsection (c) of Sec. 17-183 entitled “Charges to be**

**based upon water consumption; rate” of Chapter 17 of the ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Utilities” is amended to read as follows:**

**(c) The water consumption portion of the sewer charge shall be at a rate of \$4.00 4.40 per hundred cubic feet of water used based upon the actual quarterly or monthly meter reading of water consumption less an annual exemption of 3,500 cubic feet. Such exemption shall be prorated quarterly or monthly for users of city water who are billed on a quarterly or monthly basis.**

**SECTION II. This ordinance shall take effect November 1, 2008 and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Director of Finance)**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**  
**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**  
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**5. The following is an ordinance amendment regarding Water Rates.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE  
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,  
RHODE ISLAND, 1998, AS AMENDED, ENTITLED “UTILITIES.”**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY  
ORDAINS:**

**SECTION I. Subsection (a) of Sec. 17-36 entitled “Water Rates.” of Article II entitled “Water” of Chapter 17 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Utilities,” is amended to read as follows:**

**(a) The water rates for water furnished by the city to the consumer and measured by meter shall be billed at \$2.45 2.85 per 100 cubic feet for all consumers.**

**SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Director of Finance)**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**  
**Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_**  
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**D. COUNCIL MEMBERS**

**1. STOP SIGN PLYMOUTH ROAD AT HEDLEY CIRCLE (by Mayor Ramos)**

**Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_**

Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_  
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**2. DISCUSSION ON HOURS OF THE LANDFILL (by Councilman DiTraglia)**

Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_  
Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_  
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**E. COMMUNICATIONS**

**1. Maryann Mathews, 51 Outlook Avenue (02914) requesting to address the Council regarding RIPTA services.**

**X. ADJOURNMENT**

Motion\_\_\_\_\_By\_\_\_\_\_2nd\_\_\_\_\_